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inspections, subject to adjustment as appropriate.

(b) When conducting a test or inspection under part 217 of this chapter, a railroad officer, manager, or supervisor is prohibited from calling the personal electronic device or the railroad-supplied electronic device used by a railroad operating employee while the railroad officer, manager, or supervisor knows or should have known that—

- (1) The train to which the employee is assigned is moving;
- (2) The employee is—
 - (i) On the ground;
 - (ii) Riding rolling equipment during switching operations; or
 - (iii) Assisting in preparation of the train to which the employee is assigned for movement.

**APPENDIX A TO PART 220—
RECOMMENDED PHONETIC ALPHABET**

A—ALFA
B—BRAVO
C—CHARLIE
D—DELTA
E—ECHO
F—FOXTROT
G—GOLF
H—HOTEL
I—INDIA
J—JULIET
K—KILO
L—LIMA
M—MIKE
N—NOVEMBER
O—OSCAR
P—PAPA
Q—QUEBEC
R—ROMEO
S—SIERRA
T—TANGO
U—UNIFORM
V—VICTOR
W—WHISKEY
X—XRAY
Y—YANKEE

Z—ZULU

The letter “ZULU” should be written as “Z” to distinguish it from the numeral “2”.

EDITORIAL NOTE: At 63 FR 11621, Mar. 10, 1998, an amendment was published amending footnote 1 to appendix A of part 220. The amendment could not be incorporated because footnote 1 to appendix A of part 220 does not exist in 49 CFR parts 200 to 399, revised as of Oct. 1, 1997.

APPENDIX B TO PART 220—RECOMMENDED PRONUNCIATION OF NUMERALS

To distinguish numbers from similar sounding words, the word “figures” should be used preceding such numbers. Numbers should be pronounced as follows:

Number	Spoken
0	ZERO.
1	WUN.
2	TOO.
3	THUH-REE.
4	FO-WER.
5	FI-YIV.
6	SIX.
7	SEVEN.
8	ATE.
9	NINER.

(The figure ZERO should be written as “0” to distinguish it from the letter “O”. The figure ONE should be underlined to distinguish it from the letter “I”. When railroad rules require that numbers be spelled, these principles do not apply.)

The following examples illustrate the recommended pronunciation of numerals:

Number	Spoken
44	FO-WER FO-WER.
500	FI-YIV HUNDRED.
1000	WUN THOUSAND.
1600	WUN SIX HUNDRED.
14899	WUN FO-WER ATE NINER NINER.
20.3	TOO ZERO DECIMAL THUH-REE.

APPENDIX C TO PART 220—SCHEDULE OF CIVIL PENALTIES¹

Section ²	Violation	Willful violation
220.9 Requirements for trains	\$5,000	\$7,500
220.11 Requirements for roadway workers	5,000	7,500
220.21 Railroad Operating rules; radio communications		
(a)	5,000	7,500
(b)	2,500	5,000
220.23 Publication of radio information	2,500	5,000
220.25 Instruction of employees	5,000	7,500
220.27 Identification	1,000	2,000
220.29 Statement of letters and numbers	1,000	2,000
220.31 Initiating a transmission	1,000	2,000
220.33 Receiving a transmission	1,000	2,000

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Section ²	Violation	Willful violation
220.35 Ending a transmission	1,000	2,000
220.37 Voice test	5,000	7,500
220.39 Continuous monitoring	2,500	5,000
220.41 [Reserved]		
220.43 Communication consistent with the rules	2,500	5,000
220.45 Complete communications	2,500	5,000
220.47 Emergencies	2,500	5,000
220.49 Switching, backing or pushing	5,000	7,500
220.51 Signal indications	5,000	7,500
220.61 Radio transmission of mandatory directives	5,000	7,500
Subpart C—Electronic Devices		
220.302 Operating rules	9,500	17,000
220.303 General; interfering with safety-related duties	9,500	17,000
220.305 Personal electronic device turned on while prohibited	5,500	10,000
(a)–(c) Personal device in use while prohibited	9,500	17,000
220.307 Railroad-supplied device turned on while prohibited	5,500	10,000
(a) Use not authorized by railroad in writing	9,500	17,000
(b)–(d) Railroad-supplied devices in use while prohibited	9,500	17,000
220.311 Railroad operating employees in deadhead status:		
(a)	9,500	17,000
(b) Devices turned on while prohibited; or	5,500	10,000
device in use while prohibited	9,500	17,000
220.313 Program of instruction:		
(a)–(d)	9,500	17,000
220.315 Operational tests and inspections:		
(a)–(b)	9,500	17,000

¹ A penalty may be assessed against and only for a willful violation. The Administrator reserves the right to assess a penalty of up to \$105,000 for any violation where circumstances warrant. See 49 CFR part 209, appendix A.

² The penalty schedule uses section numbers from 49 CFR part 220. If more than one item is listed as a type of violation of a given section, each item is also designated by a “penalty code,” which is used to facilitate assessment of civil penalties, and which may or may not correspond to any subsection designation(s). For convenience, penalty citations will cite the CFR section and the penalty code, if any. FRA reserves the right, should litigation become necessary, to substitute in its complaint the CFR citation in place of the combined CFR and penalty code citation, should they differ.

[63 FR 47195, Sept. 4, 1998, as amended at 69 FR 30593, May 28, 2004; 73 FR 79702, Dec. 30, 2008; 75 FR 59604, Sept. 27, 2010; 77 FR 24420, Apr. 24, 2012]

**PART 221—REAR END MARKING
DEVICE—PASSENGER, COM-
MUTER AND FREIGHT TRAINS**

AUTHORITY: 49 U.S.C. 20103, 20107; 28 U.S.C. 2461, note; and 49 CFR 1.49.

SOURCE: 42 FR 2321, Jan. 11, 1977, unless otherwise noted.

Subpart A—General

- Sec.
221.1 Scope.
221.3 Application.
221.5 Definitions.
221.7 Civil penalty
221.9 Waivers.
221.11 State regulation.

Subpart B—Marking Devices

- 221.13 Marking device display.
221.14 Marking devices.
221.15 Marking device inspection.
221.16 Inspection procedure.
221.17 Movement of defective equipment.

APPENDIX A TO PART 221—PROCEDURES FOR
APPROVAL OF REAR END MARKING DE-
VICES

APPENDIX B TO PART 221—APPROVED REAR
END MARKING DEVICES

APPENDIX C TO PART 221—SCHEDULE OF CIVIL
PENALTIES

Subpart A—General

§ 221.1 Scope.

This part prescribes minimum requirements governing highly visible marking devices for the trailing end of the rear car of all passenger, commuter and freight trains. So long as these minimum requirements are met, railroads may adopt additional or more stringent requirements for rear end marking devices.

§ 221.3 Application.

(a) Except as provided in paragraph (b) of this section, this part applies to passenger, commuter and freight trains when operated on a standard gage main track which is part of the general railroad system of transportation.

(b) This part does not apply to: